



Department of Justice

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**SIX MEN – INCLUDING JOHN A. GOTTI – CHARGED IN TAMPA
WITH RICO CONSPIRACY FOR ROLES IN GAMBINO CRIME FAMILY**

Tampa, Florida - United States Attorney Robert E. O'Neill and Steven E. Ibison, Special Agent in Charge, Federal Bureau of Investigation(FBI), today announced the unsealing of two related indictments charging six men with conspiracy to violate the Racketeer Influenced and Corrupt Organizations ("RICO") statute, in violation of 18 U.S.C. § 1962(d), and charging two of the six men with other crimes. The first case charges John A. Gotti, also known as "John, Jr.," and "Junior," a 44 year old resident of Oyster Bay, New York, with RICO conspiracy, and specifically alleges possession of, and trafficking in, more than five kilograms of cocaine, as well as the murders of three men: George Grosso (murdered December 20, 1988 in Queens, New York); Louis DiBono (murdered October 4, 1990 in the parking garage of the former World Trade Center in Manhattan, New York); and Bruce John Gotterup (murdered November 20, 1991 at the Boardwalk at the Rockaways in Queens, New York). GOTTI faces life imprisonment if convicted.

The second case includes four counts. Count One charges John A. Burke, a 47 year old New York state correctional facility inmate, James V. Cadicamo, a 33 year old resident of Tampa, Florida, David D'Arpino, a 33 year old resident of Howard Beach, New York, Michael D. Finnerty, a 43 year old resident of Oceanside, New York, and Guy T.

Peden, a 47 year old resident of Wantagh, New York, with RICO conspiracy, and specifically alleges that: (1) BURKE and PEDEN possessed, and trafficked in, more than five kilograms of cocaine; (2) BURKE and PEDEN also participated in the murder of Bruce John Gotterup; and (3) BURKE and D'ARPINO participated in the murder of a man named John Gebert (murdered July 12, 1996 in the Woodhaven section of Queens, New York). Count Two charges D'ARPINO with murder in aid of a racketeering activity, in violation of 18 U.S.C. § 1959(a)(1), relating to the murder of John Gebert. Count Three charges CADICAMO with conspiracy to kill and/or beat a man named Michael Malone to prevent MALONE from providing information to a federal law enforcement officer and from testifying as a witness in Case No. 8:04-cr-348-T-24TGW, a RICO conspiracy case tried in Tampa, Florida before U.S. District Judge Susan C. Bucklew in the fall of 2006. Count Four further charges CADICAMO with conspiracy to retaliate against MALONE for his cooperation in the government's ongoing RICO investigations and for testifying in the 2006 RICO conspiracy trial in Tampa.

If convicted of the RICO conspiracy charge, BURKE, CADICAMO, D'ARPINO, FINNERTY, and PEDEN each face a maximum sentence of life imprisonment. If convicted of Count Two, the murder in aid of racketeering charge, D'ARPINO faces an additional sentence of life imprisonment or death. If convicted of Counts Three and Four, CADICAMO faces additional prison sentences of up to 30 years and 20 years, respectively.

The GOTTI Case

According to the RICO conspiracy charge against GOTTI, from in or about 1983 and continuing through July 24, 2008, GOTTI and other members and associates of the Gambino organized crime family of La Cosa Nostra (the "Gambino Crime Family")

constituted an enterprise (the “GCF Enterprise”) which engaged in an array of criminal conduct including murder, robbery, bribery, kidnaping, extortion, gambling, illegal drug trafficking, loansharking, collecting unlawful debts, jury tampering, victim and witness tampering, burglary, home invasions, aggravated assaults and batteries, and money laundering. The indictment specifies that GOTTI, the son of former and deceased Gambino Crime Family boss, John J. Gotti, occupied various roles in the GCF Enterprise during the period charged, including associate, soldier, captain, and *de facto* boss of the Gambino Crime Family, and served as a member of the committee of captains formed in the early 1990's to assist in the administration of the Gambino Crime Family.

The indictment further charges that GCF Enterprise members engaged in public acts and displays of violence – shootings, stabbings, baseball bat beatings, and murder – designed to create and maintain fear and dread in others so that the GCF Enterprise could defend and expand its unlawful dominion and influence in certain geographical areas and over certain:

- (i) legal businesses, such as the business of operating restaurants, the business of operating bars/pubs, the business of providing bar security, and the business of providing valet parking services;
- (ii) legal industries, such as the construction and trucking industries;
- (iii) unions' locals, and
- (iv) illegal businesses, such as the business of illegally dealing in controlled substances, the business of illegal gambling, and the business of collection of unlawful debts.

Also per the indictment, GCF Enterprise members worked to establish and maintain GCF Enterprise footholds, or operational bases, in various parts of the United States of America, specifically including the city of Tampa, Florida, in the Middle District of Florida.

The Special Sentencing Allegations section of the RICO conspiracy charge specifies some of the more egregious criminal activity alleged against GOTTI, including possession and trafficking in more than five kilograms of cocaine, and the murders of George Grosso, Louis DiBono, and Bruce John Gotterup. GOTTI is the first person charged for the murder of George Grosso, which was previously listed as an unsolved homicide and was investigated with the assistance of the NYPD Cold Case Squad.

The Criminal Enterprise Case

According to Count One of the indictment charging BURKE, CADICAMO, D'ARPINO, FINNERTY, and PEDEN with RICO conspiracy, from in or about 1983 and continuing through July 31, 2008, the five men, along with MALONE, and Pasquale J. Andriano, and others, constituted an enterprise (the "Criminal Enterprise") which engaged in an array of criminal conduct including murder, robbery, bribery, kidnaping, extortion, gambling, illegal drug trafficking, loansharking, collecting unlawful debts, jury tampering, victim and witness tampering, burglary, home invasions, aggravated assaults and batteries, and money laundering.

The indictment alleges that the Criminal Enterprise operated at times under the influence and control of the Gambino Crime Family and was directed by John E. Alite, who shared the resulting criminal proceeds with members of the Gambino Crime Family, including John A. Gotti, Charles Carneglia, and Ronald J. Trucchio. MALONE, ANDRIANO, TRUCCHIO, and ALITE were all charged in 2004 as defendants in Case No. 8:04-cr-348-T-24TGW, a RICO conspiracy case charged and tried in Tampa in the fall of 2006. ANDRIANO pleaded guilty prior to trial, as did MALONE, who later testified at trial and admitted his role in the RICO conspiracy and testified as to the details of the 1996

murder of John Gebert in Queens, New York. TRUCCHIO was convicted at the fall 2006 Tampa trial and sentenced to life imprisonment. Also charged and convicted in the case were Steven Catalano, Kevin M. McMahon, and Terry L. Scaglione. CATALANO and SCAGLIONE have since been sentenced to prison terms of 192 months and 57 months, respectively. ALITE, who was apprehended in Brazil in November 2004, was extradited to the United States in December 2006. ALITE's case remains before U.S. District Judge Bucklew, as do the cases concerning MALONE and MCMAHON.

It was revealed through testimony and evidence during the 2006 Tampa trial that ALITE was, at one time, a powerful associate of the Gambino Crime Family and had, at various times, an ownership or management interest in a number of valet parking service businesses operating in and around the Tampa Bay area, including Prestige Valet, Inc. The current indictment also charges that Criminal Enterprise members invested some of their criminal income for the acquisition of interests in other businesses, or "Investment Enterprises," including window/glass businesses, valet parking service businesses, and bars\clubs, such as "Club Mirage," a nightclub business located at 3605 West Hillsborough Avenue in Tampa.

The Special Sentencing Allegations section of the RICO conspiracy charge specifically alleges that BURKE and PEDEN possessed and trafficked in more than five kilograms of cocaine, that both men also participated in the murder of Bruce John Gotterup, and that BURKE and D'ARPINO participated in the murder of John Gebert. Count Two of the indictment charges D'ARPINO separately for his role in the murder of John Gebert. Count Three charges CADICAMO with conspiracy to kill and/or beat MALONE to prevent MALONE from providing information to a federal law enforcement

officer and from testifying as a witness in the 2006 Tampa trial. Count Four further charges CADICAMO with conspiracy to retaliate against MALONE for his cooperation in the government's ongoing RICO investigations and for testifying.

The indictments are the latest results of a lengthy ongoing investigation coordinated by the Tampa and New York FBI Divisions, specifically the Clearwater, Florida, and the Brooklyn Queens Metropolitan FBI offices, and included the Miami and Philadelphia FBI offices, the Pinellas County Sheriff's Office, the Tampa Police Department, the New York City Police Department, the Queens County District Attorney's Office, the Nassau County District Attorney's Office, the FBI Legal Attache' to Brazil, the Brazilian federal police, and Interpol. The two cases were investigated by and will be prosecuted by Assistant United States Attorney Jay G. Trezevant.

An indictment is merely a formal charge that a defendant has committed a violation of the federal criminal laws, and every defendant is presumed innocent until, and unless, proven guilty.